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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,502	12/11/2003	Alan H. Karp	200308584-1	9210

22879 7590 01/09/2009

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

JOO, JOSHUA

ART UNIT	PAPER NUMBER
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2454

NOTIFICATION DATE	DELIVERY MODE
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01/09/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
mkraft@hp.com
ipa.mail@hp.com

Office Action Summary	Application No. 10/733,502	Applicant(s) KARP, ALAN H.	
	Examiner JOSHUA JOO	Art Unit 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Detailed Action

1. This Office action is in response to Applicant's communication dated 10/15/2008.

Claims 1-30 are pending for examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Specification

3. The amendment to the title filed 10/15/2008 is accepted.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

6. A 35 U.S.C. 101 must be tied to another statutory class such as a physical apparatus or provide a physical transformation. The claimed methods are not tied to another statutory class or do not provide a physical transformation. Regarding claims 1 and 23, the steps of providing information and receiving information do not require another statutory class or do not provide a physical transformation. Regarding claims 9 and 18, the steps of providing information and processing information do not require another statutory class or do not provide a physical transformation.

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Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakamaki et al, US Patent #6,658,410 (Sakamaki hereinafter).

9. As per claim 1, Sakamaki teaches substantially the invention as claimed including a method of exchanging information between at least one party and a plurality of intermediaries, the plurality of intermediaries including a selected intermediary, the method comprising:

providing correct information to the selected intermediary (col. 7, lines 47-57. Provide name and profile information.);

receiving modified information based on the correct information from the selected intermediary (col. 10, lines 34-45. Provide a page in response.).

10. Sakamaki does not explicitly teach of providing incorrect information to each of the plurality of intermediaries who are not the selected intermediary; receiving modified information based on the incorrect information from each of the plurality of intermediaries who are not the selected intermediary; and wherein the plurality of intermediaries do not know which of the plurality of intermediaries is the selected intermediary.

11. However, other types of intermediaries such as other matching providers and email providers are well known and accessible to a user in the art. It would have been obvious to one of ordinary skill in the art that a user may also provide incorrect information by providing false information such as interest or name or enter a wrong information to the other intermediaries, intentionally or out of error, i.e.

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typographical mistake, and thus result in the other intermediaries providing information in response to the incorrect information. Furthermore, another intermediary would not know whether correct information is being submitted at another intermediary as information is maintained in privacy and would be unaware of which services the user is registered with.

12. As per claim 23, Sakamaki teaches substantially the invention as claimed including a method of exchanging information between at least one party and an intermediary, the method comprising:

a party providing a set of information to the intermediary, wherein the set of information includes a set of correct information (col. 7, lines 47-57. Provide name and profile information.);

a party receiving modified information from the intermediary, wherein the modified information includes modified information based on the correct information (col. 10, lines 34-45. Provide a page in response.).

13. Sakamaki does not explicitly teach of providing a set of incorrect information that is plausible; and a party receiving modified information based on the incorrect information; and wherein the intermediary does not know which of the least two sets of information is the correct information and does not know which of the at least two sets of modified information is based on the correct information.

14. However, it would have been obvious to one of ordinary skill in the art that a user may also provide a set of incorrect information by providing false information such as interest or name or enter a wrong age/gender or unintentionally entering incorrect information and thus result in the intermediary providing information based on the incorrect information. Furthermore, since information such as interest is determined by a user, the intermediary would not be able distinguish which information is correct or incorrect.

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15. As per claims 2 and 24, Sakamaki does not explicitly teach the method set forth in claims 1 and 24, comprising creating the incorrect information from the correct information. However, it would have been obvious to one of ordinary skill in the art that a user may modify correct information such as user interests to create incorrect information such as another interest, which would allow the user to change profile information.

16. As per claims 3 and 25, Sakamaki does not explicitly teach the method set forth in claims 1 and 23, comprising creating the incorrect information as a plausible variation of the correct information. However, it would have been obvious to one of ordinary skill in the art that a user may create incorrect information such as interest or age that would appear to be plausible indication of the user information.

17. Claims 4-5, 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakamaki and Labrou, in view of Munro, US Publication #2004/0002914 (Munro hereinafter).

18. As per claims 4 and 26, Sakamaki does not explicitly teach the method set forth in claims 1 and 23, comprising providing proprietary data as the correct information.

19. Munro teaches of parties performing a transaction, wherein the transaction involves a party providing a proprietary program (Paragraphs 0034; 0037).

20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to provide proprietary program as taught by Munro. The motivation for the suggested combination is that Munro's teachings would improve the suggested system by providing necessary information to complete transactions.

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21. As per claims 5 and 27, Sakamaki does not explicitly teach the method set forth in claims 1 and 23, comprising providing a proprietary program as the correct information.

22. Munro teaches of parties performing a transaction, wherein the transaction involves a party providing a proprietary program (Paragraphs 0034; 0037).

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to provide proprietary program as taught by Munro. The motivation for the suggested combination is that Munro's teachings would improve the suggested system by providing necessary information to complete transactions.

24. Claims 6-8, 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakamaki, in view of Labrou et al. US Publication #2004/0030894 (Labrou hereinafter).

25. As per claims 7 and 28, Sakamaki does not specifically teach the method set forth in claims 1 and 23, comprising providing the correct information in encrypted form.

26. Labrou teaches of providing information in encrypted form (Paragraphs 0009; 0016)

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for correct information as taught by Sakamaki to be in an encrypted form as taught by Labrou. The motivation for the suggested combination is that Labrou's teaching would improve Sakamaki's teachings by providing secure transmission of data over a network.

28. As per claims 7 and 29, Sakamaki teaches the method set forth in claims 1 and 23, comprising providing the incorrect information in encrypted form.

29. Labrou teaches of providing information in encrypted form (Paragraphs 0009; 0016)

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30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the incorrect information to be in an encrypted form as taught by Labrou. The motivation for the suggested combination is that Labrou's teaching would improve Sakamaki's teachings by providing secure transmission of data over a network.

31. As per claims 8 and 30, Sakamaki teaches the method set forth in claims 1 and 23, comprising receiving the modified information based on the correct information in encrypted form.

32. Labrou teaches of providing information in encrypted form (Paragraphs 0009; 0016)

33. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the modified information as taught by Sakamaki to be in an encrypted form as taught by Labrou. The motivation for the suggested combination is that Labrou's teaching would improve Sakamaki's teachings by providing secure transmission of data over a network.

Conclusion

34. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

36. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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37. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/J. J./

Examiner, Art Unit 2454

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2454